

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ERIKA BAUMGARTNER, DANIEL LOPEZ,  
and SHAUN KRAMM, on behalf of themselves  
and all others similarly situated,

Plaintiff,

v.

YOTTA TECHNOLOGIES INC., and  
EVOLVE BANK AND TRUST,

Defendants.

CASE NO. 1:24-cv-05535-AKH

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Plaintiffs Erika Baumgartner, Daniel Lopez, and Shaun Kramm, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismiss without prejudice all claims in this action against Defendants Yotta Technologies, Inc. and Evolve Bank and Trust. The Plaintiffs are entitled to make such dismissal as a matter of right because it is being filed “before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i).

Dated: November 12, 2024

Respectfully submitted,

*/s/ Ronald Podolny*

Ronald Podolny

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on November 12, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to all attorneys of record in this matter.

/s/ *Ronald Podolny*

Ronald Podolny